

ORDINANCE NO. # 11-07-02

AN ORDINANCE OF THE CITY OF JEWETT, TEXAS RELATING TO DESIGNATED TRUCK ROUTES; PROVIDING DEFINITIONS; PROHIBITING TRUCK TRAFFIC EXCEPT ON DESIGNATED TRUCK ROUTES; ALLOWING DEVIATION FROM TRUCK ROUTES FOR CERTAIN SPECIFIC PURPOSES; REQUIRING THAT PERSONS OPERATING TRUCK TRAFFIC ON CERTAIN ROADS POSSESS EVIDENCE OF DESTINATION AND POINT OF ORIGIN; PROHIBITING CERTAIN VEHICLES FROM PARKING WITHIN THE CITY OF JEWETT EXCEPT IN AREAS ZONED C-2; PROHIBITING CERTAIN VEHICLES FROM COMMUTING TO OR FROM RESIDENCES; PROVIDING FOR SIGN ADVISING OF TRUCK ROUTES; PROVIDING A PRIMA FACIE PRESUMPTION RELATING TO THE PARKING OF CERTAIN VEHICLES; AUTHORIZING THE CITY MANAGER TO DESIGNATE ALTERNATE TRUCK ROUTES; AND PROVIDING FOR A PENALTY

WHEREAS, the City Council of the City of Jewett finds that the regulation of truck traffic will serve to protect the health, safety and general welfare of the citizens of the City of Jewett;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JEWETT, TEXAS AS FOLLOWS:

Section 1. Definitions. In regard to this Ordinance, the following definitions shall apply:

“*Most direct route possible*” shall mean the shortest route between the point of origin or destination and a point on the nearest truck route which is nearest the point of origin or destination.

“*Park*” shall mean to place or leave an occupied or unoccupied vehicle in a stationary position, other than temporarily while loading or unloading property, freight or passengers.

“*Pole trailer*” shall mean every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

“*Semitrailer*” shall mean every vehicle without motive power, other than a pole trailer, designed for carrying property, freight or persons and for being drawn by a motor vehicle, including a truck tractor, and so constructed that part of its weight and that of its load rests upon or is carried by another vehicle.

“*Trailer*” shall mean every vehicle without motive power, other than a pole trailer, designed for carrying property, freight or persons and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

“*Truck routes*” shall mean those routes which are designated by this Ordinance for the use of truck traffic.

“*Truck tractor*” shall mean every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

“*Truck traffic*” shall mean the operation of any motor vehicle designed, used, or maintained primarily for the transportation of freight or property, equipped with tandem axles, including all truck tractors, or all combinations of truck tractor with trailer, semitrailer or pole trailer.

Section 2. For purposes of this Ordinance, the following streets and thoroughfares within the city limits of the City of Jewett are designated as truck routes:

<u>Route</u>	<u>Extent</u>
US Highway 79 (South and North Main Street)	Entire length within city limits
Farm to Market (FM) Road 39 (East and West Mexia Highway)	Entire length within city limits
County Road 336 (West Division Street)	From Highway 79 (Main Street) west to city limits
County Road 317 (East Division, North Adkisson, Sandbanks Road)	From Highway 79 (Main Street) east to city limits
County Road 321 (South Robinson Avenue)	From County Road 317 (East Division Street) south to city limits
County Road 337 (Cottonwood Road)	From Highway 79 (Main Street) northwest to city limits

Section 3. No person shall operate truck traffic upon any road, avenue, alley, street or thoroughfare within the city limits of the City of Jewett except on those which are designated as truck routes.

Section 4. Truck traffic limited to streets and roads designated as truck routes may depart from such truck route when it is necessary to load or unload at a location situated off of a designated truck route. Provided, however, such truck traffic shall not leave a designated truck route until such truck traffic has reached a point on a designated truck route which is nearest to the place of loading or

unloading by the most direct route possible. After leaving a designated truck route to load or unload, truck traffic may continue off of truck routes to as many stops for loading and unloading at destinations as necessary. Provided further, however, that if, in the course of making necessary stops for loading and unloading, the truck traffic shall cross a designated truck route, then, in that event, such truck shall not again leave the designated truck route until it has reached a point on some designated truck route which is nearest to the next place of loading or unloading by the most direct route possible. After loading or unloading, the truck traffic must return to a designated truck route by the most direct route possible.

Section 5. Truck traffic restricted to streets and roads designated as truck routes may depart from such truck routes where it is necessary to obtain service, repair, fuel or commercial lodging. Truck traffic must travel to and from places of service, repair, fuel or commercial lodging by the most direct route possible.

Section 6. Any person operating truck traffic upon a road, avenue, street, alley or thoroughfare not designated a truck route shall have in possession for the inspection of police officers, a log book, delivery slip or other evidence of the destination and point of origin to justify the presence of the truck traffic on a road, avenue, street, alley or thoroughfare other than a designated truck route.

Section 7. It shall be unlawful for any vehicle included in the definition of truck traffic to park in any area of the City of Jewett except an area zoned C-2. It shall further be unlawful for any vehicle included in the definition of truck traffic to commute to or from a residence within the city limits of the City of Jewett for any purpose other than making a delivery or pickup.

Section 8. The City Administrator of the City of Jewett shall erect appropriate signs and markings advising motorists of the truck routes established by this Ordinance.

Section 9. In any prosecution charging a violation of this Ordinance, proof that the particular vehicle described in the complaint was parked in violation of this Ordinance, together with proof that the defendant named in the complaint was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked such vehicle at the point where such violation occurred.

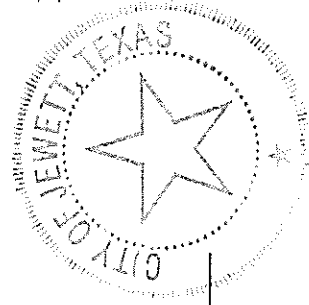
Section 10. Whenever any street or roadway designated as a truck route is under repair or otherwise temporarily out of use, the City Administrator is authorized to designate alternate truck routes.

Section 11. A person convicted of a violation of any provision of this Ordinance shall be punished by a fine of not less than \$1.00 nor more than \$500.00.

PASSED AND SIGNED THIS 11 DAY OF July, 2011.

CITY OF JEWETT, TEXAS

By: Bucky J. Hughes
Bucky J. Hughes
Mayor



ATTEST:

Annabelle Walker
City Secretary